THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.16384 OF 2007

DATED 07th AUGUST, 2007

BETWEEN:

E.Srinivasa Goud

… Petitioner

AND

Superintending Engineer, Panchayat Raj, Zilla Parishad, Kurnool and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16384 OF 2007

ORDER:

The petitioner is resident of Daivamdinne Village of Yemmiganur Mandal in Kurnool District. He allegedly owns agricultural lands in survey Nos.109-E (Acs.1.35), 112-A (Acs.0.25) and 112-C (Acs.4.36) in the said village. He alleges that respondents, namely, Superintending Engineer, Executive Engineer, Deputy Executive Engineer and Assistant Executive Engineer (Panchayat Raj Department) are contemplating to lay the road through his land without following due process of law and without issuing any notice to him. Alleging that the said action by respondents is in gross violation of Land Acquisition Act, 1894, he filed instant writ petition seeking a writ of Mandamus for declaration and direction.

After hearing learned counsel for petitioner and perusing affidavit accompanying writ petition, this Court is convinced that the writ petition is filed on mere apprehension. When a specific query is raised by the Court regarding administrative/technical sanction granted for laying the road, learned counsel for petitioner submits that there is no such sanction. Be that as it is, if petitioner's land is utilized for laying road, respondents have to follow necessary procedure under the law.

The writ petition, with the above observations, is dismissed. No costs.

(V.V.S.RAO,J)

07.08.2007.
pln